

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNILEVER SUPPLY CHAIN, INC.
1 John Street
Clinton, Connecticut 06413,

Plaintiff,

v.

JOSHUA W. STEENMEYER d/b/a
PopsicleShirts.com, Inc.
6001 Shining Light Avenue
Las Vegas, NV 89139,

Defendant.

CASE NO. 1:07-cv-03705 (NRB)

JURY TRIAL DEMANDED

**DECLARATION OF JULIO DEL CIOPPA IN SUPPORT OF
PLAINTIFF'S MOTION FOR TEMPORARY RESTRAINING ORDER**

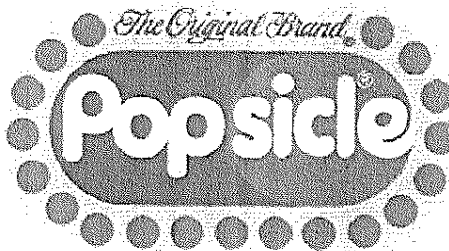
I, Julio Del Cioppo, declare under penalty of perjury as follows:

1. I am employed by Conopco, Inc. d/b/a Unilever North America Ice Cream as Director of Marketing for, among others, the POPSICLE brand and the related SICLE family of marks of frozen novelty products. I have held this position for three and half years. In this position, I am responsible, among other things, for the development and marketing of frozen novelty products under the POPSICLE and related SICLE trademarks.
2. Conopco, Inc. is the parent company of Unilever Supply Chain, Inc.
3. I make this Declaration in support of Unilever Supply Chain, Inc.'s ("Unilever's") Motion for a Temporary Restraining Order enjoining Defendant from, among other things, using the domain names popsicleshirts.com and popsicletees.com for pornographic websites and/or redirecting these domain names to the fuckoffshirts.com domain name.

4. Unilever and its predecessors-in-interest have used the POPSICLE trademark for more than eighty years.

5. Over this more than eight decades, Unilever and its predecessors have successfully grown and expanded the famous and federally registered marks and SICLE brand to include, among others, POPSICLE®, CREAMSICLE®, FUDGSICLE®, SUPERSICLE® and CHOCSICLE® (the “SICLE Marks”), all for Unilever’s frozen confections and other products and merchandising.

6. Unilever has used the famous, federally registered POPSICLE THE ORIGINAL BRAND Logo® (depicted below) since 1988.



7. Unilever also owns and uses the “popsicle.com” and “sicle.com” domain names, among many others.

8. For decades, Unilever and its predecessors have extensively marketed, advertised, promoted and sold frozen confections under the SICLE Marks throughout the United States.

9. The strength of the POPSICLE mark and the goodwill associated therewith is evidenced by the commercial success of products marketed and sold under the POPSICLE mark.

10. Unilever’s POPSICLE brand frozen confections are the number one kids frozen novelty brand in the United States.

11. In 2006 alone, Unilever sold more than two billion POPSICLE branded products, having a dollar value of almost \$250,000,000. In addition, in the year 2005 alone, Unilever sold almost two billion POPSICLE branded products, having a dollar value of more than \$230,000,000

and in the year 2004 alone, Unilever sold more than almost one and three quarter billion POPSICLE branded products, having a dollar value in excess of \$220,000,000.

12. Over the years, Unilever has invested hundreds of millions of dollars in the advertising, promotion and marketing for sale of POPSICLE brand products throughout the United States.

13. Over the past three years alone, Unilever has spent over \$40,000,000 for media advertising and promotion of POPSICLE branded products. Such advertising and promotion includes, but is not limited to, advertising and promotion by television, print media, and Internet.

14. Unilever has invested substantial time and resources enforcing its valuable SICLE Marks against unauthorized third party uses.

I declare under penalty of perjury that to the best of my knowledge, the foregoing information is true and correct.



Name: Julio Del Cioppo
Title: Director of Marketing
Date: May 31, 2007